

MILK RIVER WATERSHED NEWS

September 2000

VOLUME 3 NUMBER 3

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Manson Bailey wrote a series of four history articles about the Milk River for the Milk River Watershed News. His knowledge of the history of the Milk River was greatly appreciated and he will be sorely missed. If you would like copies of these articles, please contact Devri Roubidoux, (406) 444-6637.

Manson Bailey – A Lifetime of Service

By Burt Thurber

Manson Bailey was my brother-in-law. He married the oldest of the Hansen girls (Betty) and I married the youngest (Myrna). Manson and Betty were married when I started courting Myrna, so our association goes back 45 years or so. Whenever we were together, he was telling me about some project he was involved in – the Fish and Game Commission, Montana Legislature, Glasgow Airbase, Fort Peck Dam, conservation, the Montana Historical Society, or the Glasgow Museum – yes, he loved the museum.

It seems appropriate that his first call to public service was with the Valley County Soil Conservation District in the early 50's. He was a great advocate for conservation and reclamation and the soil and the land were close to his heart. He was influential with congressional leaders and his advice was sought after by Mike Mansfield, Montana's finest statesman. Manson was a practical man. His ideas were feasible and workable which benefited the farmers and ranchers as well as the land, soil and watershed.

Manson touched many lives through his many associations from Boy Scouts (he was awarded the Silver Beaver), active leadership positions in the LDS church, three terms in the Montana legislature, Montana Fish and Game Commission (youngest ever appointed), and many other organizations too numerous to mention. Betty



Manson Bailey

said he was gone so much his epitaph was going to read "Gone to a Meeting." Besides conservation and reclamation, his greatest love was the museum. He was instrumental in its founding and served as its curator for many years. You couldn't come to town to visit Manson and escape a tour of the museum. He was a great historian, filled with fascinating stories if you took the time to listen.

Manson died peacefully in his sleep the morning of July 5th, leaving his widow Betty, four children, 11 grandchildren, 2 great-grandchildren and 4 sisters. He will be greatly missed by his family, the community, the State of Montana, and those who knew him across the nation. Manson Bailey was a good man. Everyone who knew him loved and respected him. They just don't make that kind any more. ✓

Representatives on the Milk River JBC include the following:

Kay Blatter
Hugh Brookie
Melvin Novak
Lee Cornwell
Jack Gist

Chairman
Vice-Chairman
Secretary
Member
Member

Fort Belknap Irr. Dist.
Malta Irr. Dist.
Glasgow Irr. Dist.
Glasgow Irr. Dist.
Alfalfa Valley Irr. Dist.

Casey Kienenberger
Knut Kulbeck
Bim Strausser
Brad Tilleman
Steve Tremblay

Member
Member
Member
Member
Member

Malta Irr. Dist.
Harlem Irr. Dist.
Paradise Valley Irr. Dist.
Zurich Irr. Dist.
Dodson Irr. Dist.



Milk River International Alliance Meetings:

Advisory Council

October 23, 2000

9:00 a.m. - 12:00 p.m.

NRCS Office

Chinook, MT

MRIA General Meeting

November 8, 2000

10:00 a.m. - 3:00 p.m.

First State

Bank Building

Matla, MT

For more information,
please contact

Tracy Teel

(406) 357-2785

The Montana Office of
the Bureau of
Reclamation in Billings
pays the cost for
printing and mailing this
newsletter.

Fort Belknap Negotiations - Moving Forward

September 14, 2000

By Reserved Water Rights Compact Commission Staff

Negotiations among the Gros Ventre and Assiniboine Tribes of the Fort Belknap Reservation, the Montana Reserved Water Rights Compact Commission and the United States continue to move forward toward the goal of submitting a compact settlement to the 2001 legislature. The joint technical team is working primarily on Peoples Creek issues. Other remaining tasks include work on possible mitigation proposals and assessing the effects of these mitigation alternatives through the use of a

hydrologic computer model (HydROSS).

Commission staff has been busy working with off-reservation Peoples Creek irrigators and will continue to do public contact work throughout the fall. If you have comments or questions regarding the latest draft of the proposed compact, please contact the Montana Reserved Water Rights Compact Commission at P.O. Box 201601, 1625 11th Avenue, Helena, Montana, 59620, or call (406) 444-6841. ✓

Fort Belknap Water Rights Negotiations Questions and Answers: Part two *(Part one was included in the May newsletter)*

By Reserved Water Rights Compact Commission Staff

Q. If new storage is built on tributaries to the Milk River who will build it and pay for construction and upkeep?

A. There will be sharing of costs by the United States, the State of Montana and the local irrigators. Cost share among the federal government, state, and local participants, however has not yet been specifically addressed. A separate cost share negotiating team has been appointed to discuss this topic. They have been researching potential sources of funding for different ways of mitigating the impact of the Fort Belknap Tribal water right. Local, federal and tribal support is critical to obtain funding.

Q. Are trans-basin diversions being considered as a way to bring more water into the Milk River basin?

A. The focus in the negotiations has been on less expensive in-basin solutions to water shortage problems. Studies done on trans-basin diversions show them to be extremely costly. Due to the high costs involved and the difficulty, if not impossibility, of getting large and expensive water projects through Congress, they are unlikely to be considered.

Q. Is rehabilitation of the St. Mary diversion part of the Compact?

A. No. The St. Mary diversion has lasted around 40 years beyond its planned life. The need to fix it exists with or without a compact agreement with Fort Belknap.

The St. Mary diversion is on the Blackfeet Reservation. The current proposal being considered by the Blackfeet Tribe in negotiations is to continue existing diversions from the St. Mary, which are closer to 700 cfs than the original 850 cfs capacity. Although the Blackfeet are willing to discuss expansion up to the original 850 cfs, they want it to be in the context of funding that provides a remedy for the environmental damage caused by the existing diversion.

If the Blackfeet Tribe agrees and Montana's Congressional delegation feels it is the best way to obtain funding, than St. Mary's rehabilitation could be part of the package in Congress approving the Fort Belknap Compact. It is important to understand however, that funding for rehabilitation will be viewed separately from the Indian water settlement and may require local contribution. The decision to tie St. Mary's rehabilitation to a Fort Belknap Compact bill is roughly three years away (i.e. the estimated timing of a federal bill), and does not need to be made before the Montana legislature approves the Compact. It is also possible that St. Mary's rehabilitation could be part of Blackfeet legislation or a separate package in the future.

Q. What is the status of the proposal to store water in Bowdoin National Wildlife Refuge?

A. The proposal is on the back burner at the moment due to insufficient under-

(see Negotiations on page 3)

Negotiations

(Continued from page 2)

standing of the impact on Refuge management and fisheries. Nevertheless, all proposals will be subject to feasibility and environmental review following authorization by Congress. Bowdoin National Wildlife Refuge will probably be included in those studies.

Q. How will the mitigation measures on the Milk River be chosen?

A. The Compact Commission's preference is that it be chosen by the Bureau of Reclamation (BOR) in consultation with the irrigation districts. The mitigation proposed is entirely within the Milk River Project, so the decision should be by those affected. The choice would not be made until completion of feasibility studies and environmental review.

Q. How can we be sure Congress or the Montana legislature will provide sufficient funding as needed to support the proposed Compact?

A. We can't. Thus, the draft Compact provides protections in the event that Congress does not provide funding. In the next draft we will have new opt-out provisions that allow the state to back out if a level of funding necessary for a level of mitigation identified in the Compact is not provided. Neither the parties nor the Montana Legislature can bind Congress. No agreement by the Department of the Interior to seek a certain level of funding would ensure that Congress would provide it. Due to

constitutional issues, a court cannot order Congress to authorize or appropriate funds. Thus, our best protection is to reserve the right to withdraw if funding is not provided. Similar provisions will protect the Tribes and the United States if the Montana legislature does not appropriate funds.

Q. What will happen to water supply if Canada develops its water?

A. The threat of Canadian water development exists with or without the Compact. Under full development, the order of magnitude of impact will be equal to that of the Tribal Water Right. However, in the 90 years since the International Treaty, Canada has not yet found a viable way to develop the Milk River. Compact negotiations do not address Canadian development because it would be extremely difficult to obtain funding from Congress to deal with a threat as vague as potential Canadian water development. However, the Milk River basin will be best off addressing a real Canadian proposal when the water rights are known and quantified.

Q. What is the Milk River Authority?

A. The Milk River Authority (MRA), which is included in the proposed Compact, would be a basin-wide authority for the coordination of *water use* from the mainstem of the Milk River below the eastern crossing. The authority would have representatives from state and federal agencies, the Milk River Joint Board of Control, and the Gros Ventre and Assiniboine Tribes of the Fort Belknap Reservation.

Water use from the bed of the Milk River includes Tribal water rights, state-based rights, and federal contract rights. No single entity has authority over diversions from the Milk River. Improved management and enforcement will require a coordinated effort by all parties.

Q. How will the Milk River Authority be funded?

A. Cost share negotiations between the parties are still in the beginning stage. The Commission proposes that a trust fund be established from state and federal dollars for a grant and loan program in the Milk River basin with some of the money going to administration.

Q. How will the enforcement of diversions from the Milk River work?

A. The current draft follows state law. District courts may appoint water commissioners in charge of measuring flow and opening and closing headgates. The commissioners would operate only on the mainstem of the Milk River. Within districts the district would still handle allocation. Under the draft Compact, the Milk River Authority (MRA) would petition for enforcement. This would be in addition to the right of local water users to petition for enforcement. State and federal legislation authorizing this approach is necessary so that water rights under all jurisdictions - state, Tribal, and federal - are covered. ✓

Milk River International Alliance Hires Coordinator

The Milk River International Alliance hired Tracy Teel as its new watershed coordinator. Tracy has resided in Chinook for the past eight years and currently, is attending Montana State University at Northern and working for the Blaine County Superintendent of Schools. She has experience writing grants and working with the public.

"I want to listen and learn about the numerous issues facing the

Milk River Basin" she stated "and am more than eager to help find solutions to these issues using collaboration of ideas and hard work." Tracy indicated that she is looking forward to working closely within the MRIA Team. She may be contacted anytime by email tteelz@ttc-cmc.net or by phone at (406) 357-2785. If she is away from the office, leave her a message and she will promptly return your call. ✓



Tracy Teel

Facts about the Frenchman Creek Water Users' Association

GENERAL INFORMATION

Number of Farms:

19 farms

Miles of canals & laterals:

Frenchman Creek is the common carrier.

Board Members:

President

- Donald Mavencamp

Vice President

- James Bowman

Secretary/Treasurer

- Gus Yeska

Board Member

- Chester Barnard

Board Member

- Glenn Fisher

Number of employees:

Full Time:

1 Water Commissioner

Part Time:

1

Q: How does the Frenchman Creek Water Users' Association charge for water?

A: The district charges per acre-foot plus operation and maintenance (O&M).

Q: How are assessments collected?

A: The district's secretary bills each water users based on the amount of water used and to cover O & M costs.

Q: What types of crops are grown by the Frenchman Creek Water Users' and approximate percentages for each crop?

A: Approximately 80% is alfalfa and the other 20% is small grains.

Q: How does the Frenchman Creek Water Users' Association ensure a fair distribution of water?

A: By cooperation of all water users and with the use of a water commissioner.



Frenchman Dam. It is an uncommon and welcome sight to see water spilling in July.

Q: What issues do you feel will have the greatest impact on the Milk River Basin in the next ten years? How do you feel this will affect the Frenchman Creek water users?

A: Environmental issues and competition for water will challenge the traditional role of irrigated agriculture. Weather is the wild card in determining the magnitude of the effect that environmental and other issues will have on irrigated agriculture. ✓

Water Supply Update

By R. Scott Guenther,
Bureau of Reclamation

The Milk River Basin lucked out compared with many other river basins in Montana. Water releases from Fresno Reservoir were discontinued by August 14th for Milk River water users signaling the end of the irrigation season. Additional releases from Fresno continued to the Ft. Belknap Indian Irrigation Project until August 31st. The Ft. Belknap Indian Project ended the irrigation season with a small amount of its available water still stored in Fresno Reservoir. The lowest water level in Fresno was reached on August 11th which is comparable to the low level experienced in 1988.

The St. Mary Canal supplied St Mary River water to the Milk River Basin until mid-September. This

water will increase Fresno Reservoir storage to about 30,000 acre-feet by the end of September, and is enough to provide base flows to the Milk River during the upcoming fall and winter months. A normal water supply should be available in the river to supply municipal water to those communities that depend on it.

Nelson Reservoir is very low. The Bureau of Reclamation has not determined if any water will be transferred from Fresno Reservoir to Nelson Reservoir this fall as is normally done. If water is transferred, a sufficient supply will need to be retained in Fresno Reservoir to maintain fall and winter releases to the river. Above average runoff will be critical between now and next spring to fill both Fresno and Nelson reservoirs. ✓

Did You Know?

Triple Divide Peak in Glacier National Park is the one place in North America where falling water eventually flows into three oceans - The Arctic, Pacific and Atlantic.

Arsenic originating from natural geothermal activity within Yellowstone National Park is a significant water quality problem in the Missouri River.

Fur traders and missionaries were the first groups to irrigate in Montana.

Milk River Headwaters Tour - A Great Success

By Tracy Teel, Coordinator, Milk River International Alliance

Close to eighty people, ranging from senior citizens, irrigators to agency professionals attended the tour of the Milk River headwaters on August 22nd and 23rd. The Milk River International Alliance (MRIA) sponsored the tour to show interested parties how water is diverted from the St. Mary River into the North Fork of the Milk River and the irrigation development and diversion works in

southern Alberta. Continuing Education Credit was offered through Montana State University, Northern.

Participants began the tour by taking two buses from Chinook and Havre, which were graciously provided by the Chinook School District, to attend the evening banquet dinner at the Elks Lodge in Shelby. Mary Ellen Wolfe, Montana Watercourse Director at MSU, gave a presentation on the history of the international apportionment of the Milk and St. Mary Rivers. Scott Guenther and Al Steiner of the Bureau of Reclamation talked about the aging canal works that are used to divert St. Mary water to the Milk River. Len Ring, Manager of the Irrigation Secretariat for the Government of Alberta explained Alberta's perspective on the importance of cooperative water management of shared international rivers in southern Alberta. Kay Blatter, Chairman of the MRIA introduced Tracy Teel, the new coordinator for the MRIA. The evening was concluded by viewing the video, "The Milk River, International Lifeline of the Highline."

The tour began again early on August 23rd and covered almost 700 miles. In Montana, participants saw Sherburne Dam where water is stored and transferred into the St. Mary canal, the St. Mary Diversion works, and the



Marv Cross, the MC, and participants at the Tuesday opening banquet.

gravity feed St. Mary river siphons. In Alberta, participants viewed Waterton Dam, and the St. Mary Dam with its recently completed spillway. The last designated point of interest on the tour was the St. Mary canal drop structure near Immigrant Gap. Participants were able to observe the effects on the channel of diverting St. Mary's water into the North Fork of the Milk River.

Being its first major event, the MRIA was pleased with the overall success of the tour. Everyone was very patient and cooperative through the long haul and felt that they gained a wealth of information.

MRIA would like to give special thanks to bus drivers Larry Surber of LS Adventures and Fred Thackery, and to Ken Miller of Milk River Alberta for purchasing dinner for the entire crew and for helping with the organization. The MRIA would also like to acknowledge the great job of the guest speakers at the banquet, and Marv Cross for all of his efforts in putting the tour together. Sponsors for this tour include: The Department of Natural Resources and Conservation, Chinook School District, Albertsons, IGA, Culligans, Kmart, Mel's Grocery, Tom & Nancy's Food Farm, Farmers Union Oil Co. and Carol & Wally Elliot. ✓

Web Sites to Bookmark

United States Bureau of Reclamation Great Plains Region

www.gp.usbr.gov
This site contains information regarding USBR activities. Click on Water Supply Management to access Agri-met and Hydromet data.

Natural Resource Information System
<http://nris.state.mt.us>
This site contains hundreds of GIS maps that can be downloaded for free. This site also contains information on groundwater programs, the volunteer water monitoring program, and many additional links. More information is available per request, although there may be a fee associated with it.

United States Geological Survey
<http://montana.usgs.gov>
This site contains current stream conditions, various water use information and water reports.

Montana Online
www.state.mt.us
Provides access to information regarding State government, education, employment opportunities, education, and announcements.

Montana Department of Natural Resources and Conservation Home Page
www.dnrc.state.mt.us
Provides Access to various DNRC activities and information including grants and loans, water rights, news and events, and water resource information. The DNRC Water Resources Regional Offices have online computers available for public use.

The Weather Channel Homepage
www.weather.com
Provides the latest weather forecasts for any city including current weather maps.

If you have ideas for articles or news items, please contact:

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*Milk River Watershed News is
prepared and published by
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Bowdoin Wildlife Refuge - A must see Experience

By Tracy Teel, Coordinator, Milk River International Alliance

The Milk River International Alliance sponsored a tour of the Bowdoin Wildlife Refuge on July 18th. Wildlife Biologist, Fritz Prellwitz and assistant Kathy Erickson conducted the tour and covered the value of waterfowl banding, uses and shortages of water within the refuge, history of nesting and migratory birds, water management of alkaline wetlands, and the economic effects Bowdoin has on the local economy.

Bowdoin National Wildlife Refuge, established in 1936, is located seven miles east of Malta on Old Highway 2 and is known for its large colonies of many species of nesting birds including American white pelicans, double-crested cormorants, and great blue herons.

Highlights of the tour included the remains of the Old Bowdoin townsite that was thriving in the early 1900's and the recent outbreak of botulism that killed numerous waterfowl. Probably, the botulism was caused by the dry and windy summer that created low stagnated water levels. About 300 waterfowl have been found dead in the first couple of weeks of July.

The group saw that Bowdoin Wildlife Refuge is a haven for water fowl and shore birds. It's a must see for everyone in the Milk River basin. Beverages were provided by the Phillips County Conservation District. ✓

1,400 copies of this document were published at a total cost of \$902.63 which includes \$651.55 for printing and \$251.08 for distribution.

**MILK RIVER
WATERSHED NEWS**

**DNRC—WATER RESOURCES DIVISION
P.O. BOX 201601
HELENA, MT 59620-1601**

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